Case 02-22906 Doc 1545

Peter W. Billings, A0330 Gary E. Jubber, A1758

FABIAN & CLENDENIN,

A Professional Corporation 215 South State, Suite 1200

P.O. Box 510210

Salt Lake City, Utah 84151 Telephone: (801) 531-8900 Facsimile: (801) 596-2814

Attorneys for Official Committee of

**Unsecured Creditors** 

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"FILED IN THE UNITED STATES BANKRUPTCY COURT

2008 OCT 14 AM 10: 33

DISTRICT OF UTAH

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# IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

In re:

SIMON TRANSPORTATION SERVICES, INC.

Debtor.

In re:

DICK SIMON TRUCKING, INC.

Debtor.

In re:

Simon Terminal, LLC

Debtor.

Bankruptcy No. 02-22906 GEC Substantively Consolidated

(Bankruptcy No. 02-22907 GEC)

(Bankruptcy No. 02-24874 GEC)

## CHAPTER 11 QUARTERLY FINANCIAL REPORT For the Quarter July 1, 2008 - September 30, 2008

This quarterly report is being filed in accordance with Section 2.2 of the Second Amended Joint Plan of Liquidation Dated December 27, 2002, which states:

"The Consolidated Estates will have the obligation to file quarterly reports with the United States Trustee showing disbursements and to pay quarterly fees based on these disbursements to the Office of the United States Trustee until a final decree is entered."

I declare under penalty of perjury that the following Quarterly Financial Report, and any attachments thereto, is true and correct to the best of my knowledge and belief.

Executed on:

October 9, 2008

Gil A. Miller

Position: Accountant for Unsecured Creditors' Committee

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DEBTOR: Substantively Consolidated Estate of Simon Transportation Services, Inc.

CASE NO: 02C-22907, 02C-22906, 02C-24874

## CASH RECEIPTS AND DISBURSEMENTS STATEMENT For the Quarter July 1, 2008 - September 30, 2008

### **CASH RECONCILIATION**

Beginning Cash Balance (July 1, 2008)	\$ 2,032,352
2. Cash Receipts	\$ 11,242
3. Cash Disbursements	\$ (1,015)
4. Net Cash Flow	\$ 10,227
5. Ending Cash Balance (September 30, 2007)	\$ 2,042,579

#### **CASH SUMMARY - ENDING BALANCE**

	Amount	Financial Institution
Regular Checking	\$3,941	Zions Bank
Money Market Account	2,038,638	Zions Bank
Total (must agree with line 5 above)	\$2,042,579	

Substantively Consolidated Estate of Simon Transportation Services, Inc.

Cash Receipts & Disbursements Detail

For the Quarter July 1, 2008 - September 30, 2008

Amount		3,781.23	3,543.67	3,917.43	11,242.53		00.00		00:0	11,242.33			00'0	0.00	0.00	00:0	10.04	7.66	28.99		650.00	6000	136.00	1,014.99	10,227.34
Memo		Interest	Interest	Interest													Bank Chardes	Bank Charges	Dain Cialgev		2nd Quarter 2008 U.S. Trustee Fees	Artinistrative Evnances	Administrative Expenses		
Name		Zions First National Bank	Zions First National Bank	Zions First National Bank													Zions First National Bank	Zions First National Bank			US instee	[Hah State Tax Commission	Commonwealth of Massachusetts		
Num																					1233	1236	1237		
Date		07/31/2008	08/31/2008	09/3/05/60													07/31/2008	08/31/2008			0/10/12008	07/16/2008			
Туре		Deposit	Deposit	Deposit													Withdrawal	Withdrawal		je	Š	Check	Check		
	Cash Receipts & Disbursements Cash Receipts Interest Income			Total Interest Income		Settlement Income	Total Other Income	True Up Proceeds	Total True Up Proceeds	Total Cash Receipts	Cash Disbursements	Professional Fees	Accounting rees o LAprises	Legal Fees	Total Legal Fees	Total Professional Fees	Bank Charges		Total Bank Charges	US Trustee Fees	Total US Trustee Fees	Administrative expenses	Total Administrative expenses	Total Cash Disbursements	Net Cash Receipts & Disbursements

DEBTOR: Substantively Consolidated Estate of Simon Transportation Services, Inc.

CASE NO: 02C-22907, 02C-22906, 02C-24874

## QUARTERLY FEE SUMMARY(1)

## Quarter Ended June 30, 2008

Payment Date	Cash Disbursements(2)	Quarterly Fee Due	Check Number	Date
1st Quarter	\$ 518.07	\$325	1229	4/8/2008
2nd Quarter	\$ 61,627.28	\$650	1233	7/7/2008
3rd Quarter	\$ 1,014.99	\$325	1238	10/8/2008
4th Quarter				

<sup>(1)</sup> This summary is to reflect the current calendar year's information cumulative to the end of the reporting period.

<sup>(2)</sup> Should agree with line 3, FORM 2-B. Disbursements are net of transfers to other debtor in possession bank accounts.

## **CHAPTER 11 QUARTERLY FEES**

				FEE SCHEDULE
	OTAL QUARTE	RLY C	DISBURSEMENTS	QUARTERLY FEE
\$	-	TO	\$ 14,999.99	\$ 325.00
	15,000.00	TO	74,999.99	650.00
	75,000.00	TO	149,999.99	975.00
	150,000.00	TO	224,999.99	1,625.00
	225,000.00	TO	299,999.99	1,950.00
	300,000.00	TO	999,999.99	4,875.00
	1,000,000.00	TO	1,999,999.99	6,500.00
	2,000,000.00	TO	2,999,999.99	9,750.00
	3,000,000.00	TO	4,999,999.99	10,400.00
	5,000,000.00	TO	14,999,999.99	13,000.00
	15,000,000.00	TO	29,999,999.99	20,000.00
;	30,000,000.00	OR	MORE	30,000.00

Failure to pay the quarterly fee is cause for conversion or dismissal of the Chapter 11 case. [11 U.S.C. § 1112(b)(10)].

Checks are to be made payable to The United States Trustee and mailed to the address set forth below. Fees are not to be mailed or delivered to the local Office of the United States Trustee. If any check is returned "unpaid" for any reason, all subsequent payments must be made by way of cashier's check, certified check or money order

To ensure proper credit, it is imperative that the debtor in possession and Chapter 11 trustee write the case number on each check and remit the payment with the coupon provided with the quarterly billing. A separate check and coupon is required for each quarterly payment even if more than one quarterly fee is paid at the same time.

Send all payments to: UNITED STATES TRUSTEE PAYMENT CENTER

P.O. Box 70937

Charlotte, NC 28272-0937